

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/772,445
Applicant : Hynda K. KLEINMAN et al.
Filed : January 29, 2001
TC/A.U. : 1654
Examiner : Ronald T. Niebauer
Confirmation No. : 1045

Docket No. : 2600-109
Customer No. : 6449

RESPONSE TO OFFICE ACTION ELECTION REQUIREMENT

Mail stop after Final
Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

In response to an Office Action dated January 6, 2009, Applicant clarifies that previously added claims 183 and 184 read on the elected species of wound healing polypeptide.

Also, with respect to the patient population recited in claims 185 and 186, Applicant elects those with a skin wound as a species.

Further, as to additional agents recited in claims 3, 11, 14 and 29, Applicant elects transforming growth factor beta as a species.

In addition, as to the species of excipients recited in claim 136, Applicant elects sterile water as a species.

Group I, claims 1-40, 53-61, 133-136, 173-177, and 183-186 read on all elected species.

Applicant understands that it will be entitled to consideration of claims to additional species which depend from or otherwise require all limitations of an allowable generic claim, upon allowance of a generic claim.

Respectfully submitted,

ROTHWELL, FIGG, ERNST & MANBECK, p.c.

By 

George R. Repper
Registration No. 31,414
Attorney for Applicants
1425 K Street, N.W., Suite 800
Washington, D.C. 20005
Telephone No.: (202) 783-6040
Facsimile No.: (202) 783-6031